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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum*

LIBYAN ARAB JAMAHIRIYA

[15 June 1995]

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* The initial report submitted by the Government of the Libyan Arab Jamahiriya concerning rights covered by articles 13 to 15 (E/1982/3/Add.6 and 25) was considered by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights at its 1983 session (see E/1983/WG.1/SR.16-17).

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Introduction

1. The Libyan Arab Jamahiriya acceded to the International Covenant on Economic, Social and Cultural Rights on 15 May 1970 and the Covenant entered into force on 3 January 1976. The Libyan Arab Jamahiriya has submitted a report on articles 13 to 15, which is contained in documents E/1982/3/Add.6 and 25 and E/1983/WG.1/SR.16-17.

2. The Libyan Arab Jamahiriya has been in the forefront of States calling for the protection and strengthening of human rights inasmuch as such rights are enshrined in the Holy Qur'an, which is the social code of the Libyan Arab Jamahiriya and the first Arab document in history to advocate equality and to champion the principles of freedom and human rights.

3. All Libyan legislation is based on the principles of equality, justice and equity, as embodied in the Green Document on Human Rights, which states in its preamble:

> "Believing that the rights of human beings, God's creatures on earth, are not a gift, do not exist in tyrannical and exploitative societies and can be achieved only through the victory of the masses over their oppressors and the disappearance of regimes that suppress freedom, believing that their authority is established and their existence enhanced on earth when the people prevails through people's congresses and that there is no guarantee of human rights in a world of rulers and subjects, masters and slaves, rich and poor."

4. This report opens with a section containing general information and proceeds with a review, article by article, of the provisions of the International Covenant on Economic, Social and Cultural Rights. It was compiled in the light of the guidelines and explanations set forth in the Manual on Human Rights Reporting (HR/PUB/91/1) and the guidelines issued by the Committee on Economic, Social and Cultural Rights (E/C.12/1991/1).

5. The report was prepared by a Committee of experts in politics, law, education, social security, health, employment, the family and child welfare.

6. The Jamahiriya is a party to the following human rights treaties:

(a) The Convention on the Prevention and Punishment of the Crime of Genocide (accession and ratification on 16 May 1989);

(b) The International Convention on the Elimination of All Forms of Racial Discrimination (accession and ratification on 3 July 1968);

(c) The International Covenant on Civil and Political Rights (accession and ratification on 15 May 1970);

(d) The Optional Protocol to the International Covenant on Civil and Political Rights (accession and ratification on 16 May 1989);

(e) The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (accession and ratification on 26 May 1989);

(f) The International Convention on the Suppression and Punishment of the Crime of Apartheid (accession and ratification on 8 July 1976);

(g) The Convention on the Elimination of All Forms of Discrimination against Women (accession and ratification on 16 May 1989);

(h) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (accession and ratification on 16 May 1989);

(i) The Convention on the Rights of the Child (accession and ratification on 19 June 1991).

7. The Libyan Arab Jamahiriya has submitted the following reports concerning human rights:

(a) Report of the Libyan Arab Jamahiriya on implementation of the International Covenant on Civil and Political Rights (CCPR/C/1/Add.20; CARR.1.CCPR/C/1/Add.3);

(b) Second periodic report (CCPR/C/28/Add.16);

(c) First periodic report of the Libyan Arab Jamahiriya on implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/LIB/1);

(d) Periodic reports of the Libyan Arab Jamahiriya on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/CR.3/Add.30; CERD/C/SR.47 and SR.56; CERD/CR.3/R.10/Add.31 (CERD/C/SR.237); CERD/CR.3/R.90/Add.18 (CERD/C/SR.362); CERD/C/20/Add.29 (CERD/C/SR.426 and SR.427); CERD/C/172/Add.2).

I. INFORMATION OF A GENERAL NATURE

Geographical and demographic features

8. The Libyan Arab Jamahiriya is situated in central North Africa between latitudes 18° and 23° N and longitudes 9° and 25° E. It is bounded on the east by Egypt and the Sudan, on the west by Tunisia and Algeria and in the south by Chad and Niger. It has a southern Mediterranean coastline of about 1,800 km and covers a total area of 1,775,500 km^2, which makes it the fourth largest country in Africa after the Sudan, the Congo and Algeria. Its total population in 1990 was estimated at about 3,947,200 persons.

The general state of the national economy

9. The national economy has made tremendous achievements in various fields as a result of the exploitation of petroleum resources to implement socio-economic projects in areas relating to agricultural and industrial

production, energy and roads, the purpose of which is to help to create an economy based on sectors other than petroleum, which is a diminishing and unstable resource.

10. The world economic crisis that began in the early 1980s had a direct impact on petroleum markets, in which prices dropped to a very low level. Marketing policy and the need to maintain prices and establish ceiling production levels inevitably caused a further deterioration. All this had a direct effect on the income of the petroleum-exporting countries, including the Libyan Arab Jamahiriya. In 1989, the gross domestic product (GDP) at current income factor cost was estimated at about 7,223.5 million Libyan dinars and the available statistics indicate that the contribution of non-petroleum economic activities to GDP rose from 36.9 per cent in 1970 to 72.9 per cent in 1989, while the contribution of petroleum and natural gas extraction activities decreased from 63.1 per cent in 1970 to about 37.1 per cent in 1989, at current income factor cost.

11. With a view to achieving balanced economic growth in all sectors and regions and establishing a fundamental development base, the national economy was bolstered by fixed investments that amounted to more than 28,429 million dinars during the period from 1970 to 1988.

12. The available statistics indicate that average per capita cash income in the Libyan Arab Jamahiriya, based on per capita share of GDP, rose from 642 dinars in 1970 to 1,572 dinars in 1989, i.e. an annual compound rate of growth of 4.9 per cent.

13. During the period from 1970 to 1990, GDP at current income factor cost rose from 1,288.3 million dinars in 1970 to about 7,816.8 million dinars in 1990, i.e. an annual compound rate of growth of 9.4 per cent. Average annual development spending, which amounted to about 264 million dinars during the period from 1970 to 1972, rose to 734.3 million dinars under the Development Plan for 1973-1975, to about 1,651.8 million dinars under the Plan of Transition for 1976-1980 and to about 2,138.6 million dinars under the Plan of Transition for 1981-1985. During the period from 1986 to 1990, average annual expenditure amounted to about 898.3 million dinars.

14. The average per capita share in development spending rose from 376 dinars during the period 1970-1972 to 876 dinars under the Development Plan for 1973-1975, to 2,723 dinars under the Plan of Transition for 1976-1980 and to 2,899 dinars under the Plan of Transition for 1981-1985. During the period from 1986 to 1990, however, owing to the decline in appropriations and hence in development spending, the average per capita share in development spending was estimated at about 1,038 dinars.

15. The implementation of the plans and budgets of transition during the period from 1970 to 1990 led to an increase in GDP at current income factor cost from 1,288.3 million dinars in 1970 to about 7,816.8 million dinars in 1990, i.e. an average annual compound rate of growth of about 9.4 per cent. During the same period, total output deriving from non-petroleum economic activities rose from 475.7 million dinars in 1970 to about 5,566.7 million dinars in 1990, i.e. an estimated average annual compound rate of growth of 13.1 per cent.

16. The average growth of per capita income, based on per capita share of GDP, was as follows during the period from 1970 to 1990:

1970:	GDP at current income factor cost:	1,288.3 million dinars
	Total population at mid-year:	2,006,000 persons
	Per capita income:	US$ 2,169
1990:	GDP at current income factor cost:	7,816.8 million dinars
	Total population at mid-year:	3,947,200 persons
	Per capita income:	US$ 5,400

The political and legal systems

17. Following the revolution of 1 September 1969, sovereignty has been exercised by the people in accordance with the Constitutional Declaration of 11 December 1969, article 1 of which stipulates that:

> "Libya is a free and democratic Arab republic in which sovereignty is exercised by the people. It forms part of the Arab nation and its aim is the achievement of full Arab unity. Its territory is part of Africa and it is known as the Libyan Arab Republic."

18. However, subsequent to the Declaration, on 12 Rabi I 1397 A.H., corresponding to 2 March 1977, the political system of the Jamahiriya has been based on the "people's authority". Article 2 of the Declaration stipulates that the Holy Qur'an is the social code in the Socialist People's Libyan Arab Jamahiriya. Article 3 stipulates that the direct authority of the people is the basis of the political system in the Socialist People's Libyan Arab Jamahiriya, since authority belongs solely to the people, by whom it is exercised through people's congresses, people's committees, trade unions, federations and professional associations (the General People's Congress, the working procedures of which are established by law).

An outline of the political system, legislative and executive mechanisms and judicial authority in the Libyan Arab Jamahiriya

19. The political system in the Libyan Arab Jamahiriya is based on direct popular democracy in which the masses play their political, economic and social role and take decisions concerning various aspects of public and private life.

20. The concept of direct popular democracy is based on the twin pillars of people's congresses and people's committees. The people's congresses embody the sovereign decision-making authority, since sovereignty belongs to the people who exercise it through the people's congresses. Executive authority is exercised by the people's committees. The people as a whole take decisions through the people's congresses. The people also appoint the people's committees, which are the instruments responsible for implementation of the decisions taken by the people's congresses. The principle applied in the Jamahiri system (a system of direct popular democracy in which authority belongs to the people) is that the people's congresses take the decisions, which are implemented by the people's committees which are accountable to the congresses. Under the concept of direct popular democracy, the effective

exercise of authority means that the people controls itself. It also means that there is no intermediary between political reality, consisting in authority, and social reality, consisting in the masses of the people. At the basic people's congresses, the people take decisions on foreign policy, planning, the economy, education, health, defence, industry and justice and also promulgate legislation and appoint a people's committee to implement the decisions taken in each of those fields.

The legislative machinery

21. In keeping with this concept, legislative authority under the system of the people's authority is exercised by the basic people's congresses, which constitute the instrument by which laws are promulgated, amended or rescinded. The basic people's congresses have undisputed authority to promulgate legislation, whenever needed, to regulate any aspect of public or private activity.

The mechanism of collective participation in legislation

22. Whenever legislation is needed to regulate a particular field of social life, the popular masses participating in the people's congresses and assemblies raise and debate the issue on their own initiative. Their debates determine the broad outline and objectives of the legislation and a summary of their conclusions is then referred to the people's committees of the Secretariat for Justice which, through its competent department, draws up a bill of law for submission at the next regular session of the people's congresses, which debate the text of the bill, any part of which they may amend or reject. When the text of the bill has been finalized and approved by the congresses, it is submitted, together with their recommendations, to the General People's Congress which, after considering all the opinions and amendments, promulgates the bill, which enters into force on the date of its publication in the Official Gazette.

23. As an alternative procedure, the General People's Committee or the other secretariats, each within its particular field of jurisdiction, may submit a bill of law to the next session of the people's congresses, which discuss the bill and make any necessary amendments or reject it and send it back, with comments, to the competent people's committee so that it can be resubmitted to the congresses after any shortcomings have been rectified. In the event of the bill being approved, it is referred, together with any comments or amendments, to the General People's Congress. The latter, being the general forum in which the congresses, people's committees, trade unions and professional associations meet, acts as an expanded general drafting committee to finalize the bill, which enters into force, following its promulgation by the General People's Congress, on the date of its publication in the Official Gazette.

24. The mechanism of collective participation by the people in the promulgation of legislation is therefore a two-track process in which the people's congresses can either take the initiative or discuss bills of law submitted by the General People's Committee or the people's committees of the various secretariats. In both cases, this participation makes the people's

congresses the sole legislative bodies in society. In actual fact, this is an expression of the sovereignty of the people, which is exercised through the people's congresses and assemblies.

The executive authority

25. This comprises all the activities of government agencies in the system of the people's authority and consists of the Secretariats for Justice, Health, Foreign Affairs, Planning, the Economy, the Treasury, Communications, Education, Petroleum, Defence, etc. These activities are undertaken by people's committees, appointed directly by the masses in the people's congresses, which implement the decisions of the people's congresses in each of the above-mentioned fields. The people's committees report directly to the congresses in accordance with the principle of people's congresses, which take decisions, and people's committees, which implement those decisions and are themselves accountable to the congresses. This is the essence of direct popular democracy, as applied in Libya.

The judicial authority

26. This is exercised by the judicial machinery, consisting of the courts, the Department of Public Prosecutions and ancillary bodies staffed by criminal investigation officers.

27. The courts in Libya are of four types: civil courts, criminal courts, administrative courts and personal status courts (which apply Islamic law).

28. The Supreme Court, which is the highest judicial authority in the legal system, hears appeals brought before it in connection with civil, criminal, administrative and personal status judgements handed down by the highest courts of the four types.

The general legal framework within which human rights are protected

(a) Judicial and administrative authorities with jurisdiction affecting human rights

29. Every citizen has the right under Libyan legislation to seek legal redress for any violation of his or her legally recognized rights. The judicial authorities in Libya consist of the civil and criminal courts at various levels, the divisions of administrative justice, the People's Court and the Libyan Supreme Court at the highest level (Principle 26 of the Great Green Document on Human Rights in the Age of the Masses, articles 27 and 30 of the Provisional Constitutional Declaration, article 30 of the Promotion of Freedom Act No. 20/1991 and article 1 of the People's Court Act No. 5 of 1988).

(b) Legal remedies available and systems of compensation for victims

30. An individual who claims that any of his or her rights have been violated may, if the circumstances fall within the competence of the official authorities, bring a direct action before the judiciary or have recourse to the Department of Public Prosecutions or the People's Legal Advocacy Bureau.

The courts, operating in their statutory areas of competence, may promptly order a halt to the violation, compensation for the material and moral damage inflicted and removal of its causes by annulment when the violation takes the form of arbitrary or coercive decisions or measures that violate human rights and fundamental freedoms.

31. The type of remedy available depends on whether the violation of an individual's rights constitutes a criminal, civil or administrative offence and on the procedure laid down in the Code of Criminal Procedure and the civil and commercial codes. It may involve lodging a criminal complaint with the Department of Public Prosecutions or the People's Legal Advocacy Bureau, bringing a direct action before the criminal court, filing a suit with the civil courts or lodging an appeal before the administrative courts and the divisions of the People's Court (arts. 3 and 224 of the Code of Criminal Procedure, arts. 80 and following of the Civil and Commercial Codes Act, Administrative Justice Act No. 88 of 1971 and art. 9, paras. 3 and 4, of the People's Court Act No. 5 of 1988).

32. The legislation in force in the Libyan Arab Jamahiriya guarantees all rights referred to in the international instruments to which the Libyan Arab Jamahiriya has acceded. The relevant provisions are contained in the Provisional Constitutional Declaration promulgated on 11 December 1969. This was followed by the Great Green Document on Human Rights in the Age of the Masses promulgated in 1988, which incorporates a whole range of basic citizens' rights. The principles set forth in the Green Document are reflected in the provisions of a separate piece of legislation, the Promotion of Freedom Act No. 20 of 1991. The above-mentioned legislation contains no provisions that deviate from, violate or contradict the provisions of the international instruments to which the Libyan Arab Jamahiriya is a party.

33. Libyan legislation incorporates all provisions of the international human rights instruments, which have become enforceable and may be invoked before the judicial bodies competent under law for their implementation.

II. IMPLEMENTATION OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

34. The Libyan Arab Jamahiriya has never ceased to affirm the right of all peoples to self-determination and to enjoy the benefit of their resources in accordance with the principles of Islam (the Holy Qur'an), the articles of the Great Green Document on Human Rights in the Age of the Masses, the provisions of the Promotion of Freedom Act No. 20 of 1981 and the Charter of the United Nations and the principles of international law.

35. In accordance with the provisions of the Green Document and the Promotion of Freedom Act, the members of Jamahiri society protect and defend freedom throughout the world, supporting persons who are being persecuted in their quest for freedom and urging peoples to oppose injustice, tyranny, exploitation and colonialism. They do so because they cherish the ideal of a humanitarian society free from aggression and war, exploitation and terrorism, and without distinction between great and small, a society in which all nations, peoples and ethnic groups enjoy the right to live in freedom,

security and peace, and which under no circumstances allows their legitimate aspirations to be thwarted or permits the use of force to absorb them into one or more other ethnic groups.

36. At the individual level, the Libyan Arab Jamahiriya has devoted considerable attention since the revolution of 1 September 1969 to the fundamental rights of the individual. It has adopted a whole range of measures and promulgated legislation with a view to guaranteeing every citizen the right to health care and social and cultural welfare, the right to participate in the conduct and management of public affairs, the right to education, work, freedom of expression and association, to form trade unions, federations and professional associations, and to seek legal redress for any hostile act or violation of his or her rights recognized under the legislation in force.

37. Libyan legislation recognizes all the rights recognized in the Covenant, in particular the right to self-determination, the principle of the equal right of men and women to the enjoyment of all economic, social and cultural rights, the right to education, training and knowledge, the right to health care, social welfare and social security, the right to establish a family, the right of mothers to raise their children while they retain the capacity to do so, the right to freedom of choice of employment and to adequate remuneration, the right to property and the right to freedom of invention, creation and innovation. Libyan legislation also prohibits the employment of children, by relatives or others, to perform tasks that are beyond their capabilities, impede their natural development or are damaging to their morals or health.

38. There are no provisions in Libyan legislation that discriminate on grounds of race, colour, sex, language, religion, opinion, national or social origin, property, birth or other status.

39. Since acceding to and ratifying the Covenant, the Libyan Arab Jamahiriya has endeavoured to ensure that all subsequent legislation guarantees and incorporates the provisions of the Covenant.

40. The Libyan Arab Jamahiriya undertakes to guarantee the rights recognized in the Covenant to non-nationals in accordance with the principle of equal treatment of States. On acceding to the International Covenant on Economic, Social and Cultural Rights, the Libyan Arab Jamahiriya reviewed its legislation and found that it was consonant with and in no way contradictory to or incompatible with the provisions of the Covenant.

41. Every citizen is guaranteed the right under Libyan legislation to seek legal redress for any violation of the rights recognized in the legislation or in the International Covenant on Economic, Social and Cultural Rights, even if such violation is committed by official bodies, since the provisions of the Covenant form an integral part of domestic legislation in the Libyan Arab Jamahiriya and have therefore been binding on individuals and corporate bodies, including official bodies, since accession to the Covenant (Principle 26 of the Great Green Document on Human Rights in the Age of the Masses, arts. 27 to 30 of the Constitutional Declaration and art. 30 of the Promotion of Freedom Act).

Article 1

42. Since the revolution of 1 September 1969, the Libyan Arab Jamahiriya has shown concern for basic human rights. Its fundamental and supreme objective is to promote the health, social and cultural aspects of human welfare. This necessitated the promulgation of the Constitutional Declaration in order to safeguard the rights and freedoms of Libyans, including their right to participate in the government of their country, their right to education, work, freedom of opinion and association, the right to seek legal remedy from the courts, and other basic rights. The Declaration also specifies the duties of all male and female citizens, such as their responsibility to defend the country, pay taxes and fulfil their other constitutional obligations. It can therefore be said, quite categorically, that the basic law in the Jamahiriya and the other legislation that has been promulgated in accordance therewith meet the standards set in the most modern and progressive constitutions and laws anywhere in the world. This was further confirmed and consolidated by the Declaration of the People's Authority of 2 March 1977, which gave rise to the promulgation of a number of legislative acts and ordinances which detail those rights and freedoms and the manner in which those duties should be fulfilled.

43. The Libyan Arab Jamahiriya reaffirms that all people have the right to self-determination. That right is respected in conformity with the teachings of Islam (the Holy Qur'an being the Libyan social code), the Promotion of Freedom Act No. 20 of 1991, the provisions of the Charter of the United Nations and the principles of international law.

Article 2

44. Pursuant to the above-mentioned Declaration and the Constitutional Declaration promulgated on 11 December 1969, a number of legislative acts have been promulgated to safeguard the civil and political rights of all persons residing in the territory of the Jamahiriya, without any discrimination among them on grounds of race, colour, sex, language, religion, political opinion, national origin, property or other status. These legislative acts ensure equality among citizens, since all authority belongs to the people by whom it is exercised directly, without proxy or representation.

45. Following its accession to the International Covenant on Economic, Social and Cultural Rights, the Libyan Arab Jamahiriya reviewed its legislation and found it to be in no way inconsistent or incompatible with the provisions of the Covenant.

46. Libyan legislation recognizes the right of every citizen to seek legal remedy from the courts in the event of a violation of any of his or her rights recognized in that legislation or in the International Covenant on Economic, Social and Cultural Rights, even if such violation is committed by official bodies, since the International Covenant on Economic, Social and Cultural Rights forms an integral part of the domestic legislation of the Libyan Arab Jamahiriya and has therefore been binding on individuals and bodies, including official bodies, since the country's accession to the Covenant.

Article 3

47. All the legislation in force in the Libyan Arab Jamahiriya makes provision for the equal enjoyment by men and women of all economic, social and cultural rights, since it would be a flagrant and unjustifiable act of injustice to differentiate between the rights of men and women (art. 5 of the Constitutional Declaration and Principle 2 of the Green Document). No distinction is made between men and women since they are equal in terms of rights and duties. Act No. 15 of 1981 concerning the wage structure establishes the principle of equal remuneration for equal work and responsibilities within the framework of the satisfaction of basic needs, without any discrimination on grounds of sex.

48. Education is a right and a duty of all Libyans whether male or female. It is compulsory to the end of the basic stage of education and free at all stages. Men and women are treated on an equal footing in Libyan society, in which they are partners in the various employment sectors and also in the fulfilment of public duties, such as national defence. Women work as teachers, physicians, lecturers, judges, lawyers, engineers and police officers and also participate in political activities. They have served as ministers and have held ambassadorial posts in the diplomatic service.

49. The Basic People's Congresses have women members, who have the right to stand for election to posts in the same way as men. They also have the right to participate in trade unions, federations and professional associations.

Articles 6, 7 and 8

50. Article 9 of the Promotion of Freedom Act stipulates that citizens are free to establish and join trade unions, professional and social federations and groupings and charitable societies to protect their interests or achieve the legitimate objectives for which they are established. The Labour Act No. 58 of 1970 regulates the activities of trade unions and article 115 thereof stipulates that persons working in the same occupation or industry or in similar or interlinked occupations or industries or engaged in the same type of production activity are entitled to form a trade union to enhance their productive capabilities, make them aware of their obligations, protect their interests, defend their rights and endeavour to improve their material, social and cultural situation.

51. The Trade Unions Act No. 107 of 1975 stipulates that trade union organizations should seek to achieve the following aims:

1. To disseminate trade union awareness and develop their union membership in such a way as to reinvigorate the trade union movement;

2. To raise the educational standard of workers through training and educational courses, publications and information in such a way as to ensure the establishment of an enlightened grassroots base and a well-trained leadership;

3. To enhance the occupational competence of workers, improve their technical standard, encourage competitiveness in production and promote a spirit of initiative among workers;

4. To contribute to the social and industrial development of society and participate in the drafting and adoption of economic development plans;

5. To safeguard the legally recognized rights and freedoms of members, defend their interests and improve their terms of employment in order to promote social justice and equality of opportunity among citizens;

6. To raise the health, social and economic standards of members through the provision of health-care services, cooperative consumption and housing services and the organization of holidays and leisure time;

7. To support the International Confederation of Arab Trade Unions in its capacity as the representative of Arab workers' unity;

8. To consolidate and develop links and relations with international trade union organizations.

52. With regard to articles 6 and 7 concerning employment, the Libyan Arab Jamahiriya submitted a report for 1992 in response to the observations of the Committee of Experts of the International Labour Organization. The report contained information on the following conventions:

Hours of Work (Industry) Convention, 1919 (No. 1) (ratified);

Forced Labour Convention, 1930 (No. 29) (ratified);

Holidays with Pay Convention, 1936 (No. 52) (ratified);

Employment Service Convention, 1948 (No. 88) (ratified);

Protection of Wages Convention, 1949 (No. 95) (ratified);

Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (ratified);

Equal Remuneration Convention, 1951 (No. 100) (ratified);

Abolition of Forced Labour Convention, 1957 (No. 105) (ratified);

Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (ratified);

Equality of Treatment (Social Security) Convention, 1962 (No. 118) (ratified);

Employment Injuries Benefits Convention, 1964 (No. 121) (ratified);

Employment Policy Convention, 1964 (No. 122) (ratified);

Minimum Wage Fixing Convention, 1970 (No. 131) (ratified);

Minimum Age Convention, 1973 (No. 138) (ratified).

53. Listed below are the trade unions, federations and professional associations in the Libyan Arab Jamahiriya:

General trade unions

The General University Teachers' Union;

The General Teachers' Union;

The General Union of Engineering Professions;

The General Union of Agricultural and Veterinary Occupations;

The General Farmers' and Livestock Breeders' Union;

The General Petroleum and Chemicals Union;

The General Union of Electrical and Electronic Engineering Professions;

The General Metal Industries Union;

The General Construction, Woodworking and Glasscutting Union;

The General Textile, Clothing and Leather Industries Union;

The General Union of Administrative and Financial Occupations;

The General Printing and Paper Union;

The General Water Services and Environmental Protection Union;

The General Tourist Services Union;

The General Food Industry and Bakery Trade Union;

The General Distribution and Commercial Trade Union;

The General Union of Legal Professions;

The General Union of Traditional Trades and Precious Metal Industries;

The General Maritime Transport Union;

The General Air Transport Union;

The General Land Transport Union;

The General Postal and Telecommunications Union;

The General Tobacco and Matches Union;

The General Union of Mechanical Engineering Professions;

The General Lawyers' Union.

Associations

The General Association of Authors and Writers;

The General Association of Artists;

The General Association of the Disabled;

The General Pensioners' Association;

The General Association of Journalists.

Federations

The General Federation of Students of the Great Jamahiriya;

The Federation of Medical Professions;

The Federation of Manufacturing Trades and Crafts.

Article 9

54. Social security plays a major role in protecting the individual against poverty, providing coverage in case of need and protecting against risk. It promotes social welfare by guaranteeing a minimum income as protection against want when earnings cease because of old age, invalidity, sickness, accident, unemployment or the death of the breadwinner. Social security also helps to preserve the individual's capacity for work by affording protection against illness and occupational accidents and providing medical rehabilitation services.

The social security scheme

55. The following are some of the distinguishing features of the social security scheme in the Libyan Arab Jamahiriya:

(a) It is an Islamic scheme founded on the modern scientific and organizational experience of the developed countries. The underlying principles of the scheme were inspired by the magnanimous Islamic Shari'a, which ensures social solidarity and communal concern and promotes reform of the individual and the community based on justice, mercy and fellowship.

(b) It is a comprehensive scheme in terms of benefits and organizational and administrative coverage, its purpose being to protect the individual in the event of sickness, occupational accident, childbirth,

invalidity, old age, disaster and death and to support him or her in bearing family responsibilities, in dealing with delinquency and deviant behaviour, and in childhood and old age. The comprehensiveness of the scheme is twofold:

(i) Cash benefits in the form of social security, retirement or basic allowances;

(ii) Benefits in kind, which take the form of social welfare, medical and rehabilitation services.

(c) Any successful scheme or legislation must be introduced gradually in order to ensure sound implementation based on experience, the results of scientific studies of the beneficiaries, contributions, allowances and advantages, the preparation of implementing regulations and the training of the requisite personnel.

(d) Coordination with international expertise is ensured through liaison with international organizations and agencies and attendance at specialized conferences with a view to developing the social security services in general.

56. The scheme took shape in the form of a social security bill which was finalized with the promulgation of Act No. 13 of 1986 and its implementing regulations and of the Basic Allowances Act No. 16 of 1988 and its amendments and implementing regulations.

57. The following administrative and technical bodies have been set up to implement the social security scheme and the relevant legislation; each body is responsible for the benefits provided for in its statutes and regulations.

58. The Social Security Fund collects contributions, keeps social security records and pays social security, pension and insurance benefits. It also provides specific kinds of health care and makes the investments needed to meet the cost of cash benefit disbursements. The following table shows the expenditure for 1991:

Table 1

Type of expenditure	Amount (in millions of dinars)
Grants and allowances disbursed	160 400 493
Social welfare	3 407 910
Specific kinds of health care	1 889 726
Military pensions	25 568 932
Contribution to basic allowances	6 634 299
Investments	4 688 550
Miscellaneous	384 657
Total	202 984 567

The sums shown in the above table cover the following benefits:

Table 2

Social security benefits	103 426
Insurance benefits	10 071
Military benefits	10 117
Retirement benefits	6 131
Total	129 745

59. The General Department of Social Affairs administers and directs social welfare bodies and institutions for the disabled, administers kindergartens, provides therapeutic services for the groups under its care, and makes provision for basic allowances designed to provide financial assistance for poor and destitute families so that they enjoy a decent standard of living. These benefits are funded by the Public Treasury. The following table shows the number of families receiving basic allowances in the Libyan Arab Jamahiriya, broken down into eligible categories as defined in the relevant legislation.

Table 3

Eligible category	Numbers benefiting
Old age	14 905
Disability	16 804
Widows	30 562
Orphans	7 039
Destitute family	478
Prisoner's family	354
Divorced women	15 495
Others	375
Mothers of children whose father's identity is unknown	249
Hospitalized family	10
Partial disability	48
Returned emigrants	111
Total	86 430

60. Annual expenditure on behalf of poor and destitute families, in accordance with the conditions laid down in the Basic Allowances Act, is estimated at 70 million Libyan dinars.

61. In addition to financial support in the form of monthly benefits, the social and economic development programmes include a productive family scheme

designed to raise the standard of living of low-income families through vocational training programmes (in, for example, dressmaking, tailoring and knitting) provided in special units.

62. The State provides educational and health services free of charge to all members of society, thus effectively helping to raise the standard of living and the general quality of life of all citizens without exception.

63. The discrepancy between table 3 and appendix 1 in respect of the amount of benefits was due to the suspension of payment of benefits at 1,327 on account of the non-application of the conditions thereto.

Article 10. Protection of the family, mothers and children

Definition of the family in the Libyan Arab Jamahiriya

64. The family is viewed in the Libyan Arab Jamahiriya as a cornerstone of the social structure. It is the standard socio-biological unit based on husband and wife joined by law in a sacred union in accordance with the Islamic Shari'a. There are two types of family, the nuclear family and the extended family, but the nuclear family, even when living separately, is socially, spiritually and economically inseparable from the extended family, to which it is attached by firm bonds. Roles are apportioned among the individual members of a single family in such a way as to meet the needs of its members. The head of the family is usually the father, followed by the eldest son and so forth. The family derives its approach to the upbringing and socialization of its members from the social and religious values and standards recognized in Libyan society.

65. Article 34 of the Libyan Civil Code stipulates: "A person's family consists of his or her relatives, the term relatives denoting any persons linked by common descent."

The age of majority in the Libyan Arab Jamahiriya

66. The Libyan Civil Code establishes the age of majority. Article 9 of Act No. 17 of 1994 specifies 18 years as the age at which a child ceases to be a minor and attains his or her majority.

Family assistance and protection

(a) Marriage

67. With regard to the establishment of a family and the right of men and women to freedom of choice and to enter into marriage with consent and mutual understanding, article 21 of the Great Green Document on Human Rights in the Age of the Masses stipulates:

> "The members of the society of the Jamahiriya are equal, men and women, in everything that is human, because discrimination as regards rights between men and women is a flagrant injustice and unjustified. They agree that marriage is an equal partnership between two equal parties, neither being permitted to marry the other without his or her consent and

divorce being permissible only with the concurrence of both parties or in accordance with a judgement resulting from a just court hearing. It is tyranny for children to be barred from seeing their mother or for a wife to be banished from her home."

68. In addition, article 8 of Act No. 10 of 1984 stipulates that: "A guardian shall not force a young man or a young woman to marry against his or her will, nor shall the guardian prevent his female ward from marrying the spouse of her choice."

69. Article 9 of the Act stipulates that: "If a legal guardian prevents a ward from marrying the spouse of his or her choice, the ward may seek legal redress in the courts with a view to having the marriage allowed if such a ruling is deemed to be appropriate."

(b) Measures to facilitate the establishment of a family and to maintain it

70. The establishment of a family is facilitated through fulfilment of the duty to provide for such essential individual and family needs as housing, means of subsistence and clothing. This is done through public housing projects and by ensuring easy access to housing, the greatest demand for which arises when a couple enters into marriage. Home ownership is ensured for Libyan citizens, who pay for housing in monthly instalments and are free from the exploitation associated with the payment of rent. A house belongs to its occupant in the Libyan Arab Jamahiriya, as stipulated in article 13 of the Great Green Document on Human Rights in the Age of the Masses:

"The members of Jamahiri society are free from the rental system. A house belongs to its occupant, and a house is sacrosanct although due attention must be paid to the rights of neighbours - 'the neighbour who is of kin and the neighbour who is a stranger'. The dwelling may not be used for any purpose detrimental to society."

71. In addition, banks operating in the Libyan Arab Jamahiriya assist with land mortgages for housing construction and loans for the purchase of private vehicles needed by the family or to help defray marriage expenses. Mortgages and loans are reimbursed in monthly instalments deducted from the wages and salaries of borrowers.

72. Every individual and family has to have a means of subsistence. Article 22 (a) of Social Security Act No. 13 of 1984 therefore stipulates:

"The subsistence allowance is the minimum amount payable under the social security scheme to persons with no other means of subsistence. The following beneficiaries are eligible for receipt of the subsistence allowance:

(i) Persons of pensionable age as defined under this Act;

(ii) Persons wholly unfit for employment;

(iii) Persons deprived of their means of subsistence or in straitened circumstances with nobody to turn to for support;

(iv) Widows;

(v) Orphans."

73. With regard to protection, maintenance and support for the family, every citizen with a wife and children is paid a family bonus with his salary in accordance with a decision taken by the General People's Committee in 1978 to grant employees in the public and private sectors a family bonus, which is increased by two dinars for every child (Family Bonus Regulation No. 57/9). The role of family legislation in protecting the family from disintegration is reflected in the following articles. Article 17 of the Libyan Civil Code (Act No. 10 of 1984) provides for a wife's rights vis-à-vis her husband: the right to financial and other maintenance, the right to non-interference with her personal property and the right to security from material and moral injury at the hands of her spouse. Article 18 of the Act provides for the husband's rights vis-à-vis his wife: if the husband is in straitened circumstances, the wife becomes responsible for providing maintenance, attending to his emotional and moral well-being and peace of mind, and looking after, keeping in order and maintaining the family home and raising the children; the husband also has the right to security from material and moral injury at the hands of his spouse (arts. 22, 23 and 40 of the Act).

74. With regard to children's rights within the family, Libyan legislation on the rights of the child contains a number of provisions that guarantee their well-being, freedom from oppression and full enjoyment of their rights. One of the most important of these rights, which also constitute parental duties, is the right to maintenance, parentage, breast-feeding, rearing and guardianship in order to ensure that the family is stable and mutually supportive with proper bonding among its members to prevent disintegration and dissolution.

75. Article 71 of Act No. 10 stipulates that the parent who is the provider shall maintain the children until a boy enters employment and a girl gets married. Under article 398 (a), failure to fulfil the duty of maintenance is made a punishable criminal offence (misdemeanour).

76. The right to parentage protects a child from humiliation, moral decline and destitution and confers on him or her the advantages of identity and a surname. Article 38 of the Libyan Civil Code stipulates that every individual shall have a name and a surname, the surname being passed on to his children. Parentage is a strong bond that attaches children to their parents through love and affection. Article 53 of the Code contains detailed provisions regarding parentage: proven length of pregnancy; the circumstances of pregnancy: legal marriage, invalid marriage, affirmation of parentage. In defence of the right to parentage, article 404 of the Penal Code punishes anyone who conceals an infant, exchanges an infant for the purpose of obtaining a birth certificate, makes false statements to the Birth Registration Office or commits other offences of falsification or concealment of parentage with a term of imprisonment not exceeding five years. Article 405 of the Penal Code also punishes with a term of imprisonment anyone

who entrusts a recognized legitimate or natural child to a home for foundlings or any other institution, concealing the facts regarding his or her origins. With a view to safeguarding parentage from the undesirable mixing of families, article 403 (a) (vi) of the Penal Code punishes anyone who artificially inseminates a woman by force, by using threats or deception or with her consent, the penalty being increased by one half if the offence is committed by a doctor, a chemist, a midwife or one of their assistants. In addition, a husband and wife are punished if insemination is conducted with their knowledge and consent, regardless of whether the wife or someone else is inseminated. Article 403 (b) (vii), however, adds "unless the insemination is undertaken for purely medical reasons, using the husband's sperm, since the ground for incrimination is to prevent mixed parentage".

77. The Shari'a in its wisdom enjoins mothers to nurse their children for two years and experts in Islamic jurisprudence agree that nursing is a maternal duty under religious and secular law. Article 61, paragraph (b), of Act No. 10 of 1984 therefore compels a mother to nurse her child without payment while she is under the father's matrimonial authority. The mother is entitled to receive payment for nursing the child if she is separated from the father so that she does not find herself in difficulties on account of her child.

78. The purpose of child-rearing is the education of children of a specific age by the person with the fundamental legal right for their upbringing and custody. It involves attending to their needs, providing food, clothing and a place to sleep and keeping them clean. Child-rearing is basically a right of the child, who takes precedence, but it is also a right of the nurturer and the father or his substitute. It there is a conflict between those rights, the child is given priority over everybody else because child-rearing is intended to serve the interests and ensure the maintenance of the child. Act No. 10 of 1984 treats child-rearing as a right of the husband vis-à-vis his wife during marriage (art. 18, para. (d)) and a duty of the wife imposed by law until a boy reaches the age of majority and a girl gets married.

79. The legal provisions are as follows: when a couple enters into marriage, child-rearing is a right shared by the parents. If they separate, it falls to the mother and subsequently, in turn, to her mother, the child's father, his mother, close female relatives of the child, giving precedence to those related to two parties over those related to a single party, and close male relatives of the child. Where it is in the interests of the child, the courts may rule against adherence to the above sequence save in the case of the mother and her mother and the father and his mother. In addition, the husband is required to remunerate the person rearing the child, whether that person is the child's mother following separation from his father or one of the child's relatives. Article 398 (b) of the Penal Code punishes the guardian of the child for failing to remunerate the child-rearer for the upbringing of his child except in the case of a wife living under her husband's matrimonial authority.

80. Libyan legislation establishes a duty of guardianship of children who are minors in personal and financial terms. Guardianship is a recognized right in view of a child's need for someone to attend to his affairs and set him on the right course in life. As it is a right that cannot be waived, the guardian

has authority over the ward in respect of discipline, education, guidance and other matters relating to the minor's personal welfare. The authority of the father in the matter of discipline is a fundamental but not absolute right. If the guardian resorts to illegal methods of disciplining and correction, harming the ward in a way that may be conducive to physical or mental illness, he becomes liable to prosecution for the offences of minor or grievous assault or injury in accordance with articles 397 and 398 of the Penal Code.

81. Groups deprived of a social life based on the natural family are guaranteed a decent life in welfare centres in the Libyan Arab Jamahiriya under article 29 of the Social Security Act No. 13 of 1980, as follows:

(a) Infants with nobody to care for them are looked after in nurseries and kindergartens for the homeless.

(b) Boys and girls with nobody to care for them are looked after in special welfare centres.

(c) Old people, both men and women, are looked after in old people's homes or receive individual care at home where circumstances so require.

(d) Young men and women of both sexes are looked after in youth education and guidance centres and women's guidance centres.

(e) Invalids and disabled persons are looked after in special homes.

82. There are regulations governing the different types of social welfare and conditions of eligibility as well as regulations governing welfare centres and the services they provide. It should be noted, however, that welfare centres for the homeless, social welfare centres and health, training and rehabilitation centres are run on an integrated basis.

83. The principle of family protection is also affirmed in article 14 of the Great Green Document on Human Rights, which stipulates:

> "The society of the Jamahiriya is a society united in solidarity and guarantees its members an easy and decent livelihood. It also ensures for its members an advanced level of health care, with a view to achieving a society of the healthy that guarantees care for children and mothers and protects old people. The society of the Jamahiriya is the protector of those who have no protector."

Article 20 of the Great Green Document stipulates that:

> "The members of the society of the Jamahiriya affirm that it is a sacred human right to grow up in a cohesive family consisting of mother, father and siblings. As only true motherhood and breast-feeding are appropriate for every human being and consistent with human nature, a child is raised by his or her mother."

84. There are absolutely no families who do not enjoy the above-mentioned rights because the law applies to all members of society following the promulgation of amendments by the basic people's congresses. Such amendments

are ongoing and constantly renewed whenever the members of the people's congresses, who are drawn from all ranks of the citizenship of the Libyan Arab Jamahiriya, consider that circumstances so require.

85. Our society recognizes the extended family. As mentioned above in connection with the general meaning of the term family, there are two types of family in Libya, the nuclear family and the extended family, which is a broader concept than the nuclear family. Both of them enjoy all the rights mentioned above, as evidenced by the right of old people without means living with the family of a son or daughter to a basic income, as well as widows and divorced women living with their relatives and orphans, and by other benefits available to Libyan citizens and their legally recognized rights.

86. In addition, social security is guaranteed under article 29, paragraph 6, of Social Security Act No. 13 of 1984 concerning the provision of assistance in kind in the event of disasters or emergencies.

(c) Shortcomings discernible under sections (a) and (b)

87. Under the policy pursued in the Libyan Arab Jamahiriya, the basic people's congresses hold sessions devoted to follow-up of their previous decisions. Any shortcomings in the legislation and measures they have adopted are pinpointed for amendment at the following sessions, at which appropriate decisions are adopted.

Protection of maternity

(a) Maternal health care

88. Maternal and child health care programmes are in general designed to preserve the health and well-being of the mother and child. They therefore seek to ensure that:

(i) Every mother or wet nurse is in good health so that she can fulfil her duty to her child or nursing infant in the best possible way;

(ii) Mothers are aware of the basic principles of child health care;

(iii) Pregnant women are assisted in natural childbirth, ensuring their own protection and that of their babies by creating a healthy environment with appropriate food and protecting the child from illness through appropriate vaccinations and other preventive health schemes.

89. In pursuit of these aims, maternal and child-health care is divided into the following three stages:

Antenatal care. At this stage, women are given health counselling and are made aware of all aspects of pregnancy, birth and baby care.

Pregnancy care. The following health monitoring programmes are organized for pregnant women:

(i) Registration of pregnant women and gathering of the requisite health and hereditary data;

(ii) Regular medical examinations;

(iii) Laboratory analyses and tests;

(iv) Nutritional supervision during pregnancy;

(v) Home visits to pregnant women;

(vi) Health education and counselling for pregnant women.

Health care during confinement. Pregnant women are offered places in obstetric centres or hospitals which spare them the complications of a difficult confinement and ensure an easy delivery under specialist medical supervision.

90. These three stages of maternal and child-health care are designed to reduce infant mortality rates, especially during confinement.

(b) Maternity leave

91. The Civic Service Act and the Social Security Act provide for three months' maternity leave for pregnant women on full pay. In the case of self-employed women, article 25 of Social Security Act No. 13 of 1980 stipulates: "A self-employed woman shall be entitled to payment of 100 per cent of her hypothetical income for a period totalling three months before and after confinement."

(c) Cash benefits

92. Article 27 of Social Security Act No. 13 of 1980 stipulates that participants shall be paid the following lump-sum benefits, each participant being entitled to a single payment when the conditions are met:

(i) The pregnancy allowance payable from the fourth month of pregnancy until confinement and amounting to three dinars a month;

(ii) The childbirth grant amounting to 25 Libyan dinars.

93. A memorandum submitted to the people's congresses concerning child protection and care laid down the following basic guidelines for maternity protection and care:

Article 2 of the memorandum: Ensuring that the pregnant woman's requirements in respect of nutrition and health counselling are met and made easily accessible through specialized health and social centres.

Article 18 of the memorandum: Revision of the Women's Employment Scheme so that women are given the opportunity to spend as much time as possible with their child, especially in early infancy, by offering the nursing mother the right to work part time without incurring a loss of income,

with an increase in maternity leave by up to six weeks on full pay, and by ensuring that a crèche is provided in all establishments and other locations where women are employed.

94. Under the social security legislation, Libyan women are given the opportunity in chapter II, articles 10, 11 and 12, of Act No. 106 of 1975 concerning women's organizations to form women's associations with the general aim of enhancing the educational, health, economic, productive, occupational, social and cultural status of Libyan women in order to build a model family and society based on sound foundations. Articles 13, 14 and 15 of chapter II provide for the establishment of a women's federation.

95. A new organization known as the Bureau of Women's Affairs is currently being set up in the Secretariat of the General People's Congress. Responsibility for the Bureau has been assigned to the Assistant Secretary of the General People's Congress.

Protection of children

96. With regard to legislation concerning the lower age limit for employment in the Libyan Arab Jamahiriya, article 9 of Civic Service Act No. 17 of 1992 stipulates that a candidate for employment shall not be under 18 years of age. The lawmaker chose that age as marking the point at which young people reach intellectual maturity and are capable of sound reflection so that they can perform their duties properly. Age is determined on the basis of a birth certificate, an official excerpt from the civil status records or the family booklet or, failing that, an estimate of age by a special medical committee.

97. The legislation also imposes a lower age limit of 18 years for civil servants, that is to say graduates whom the State undertakes to employ.

98. With regard to the protection of children from exploitation in illegal employment, article 474 of the Penal Code prohibits the employment of children as travelling salesmen.

99. With regard to how many children, and of which age groups, engage in paid employment, and to what extent, such circumstances do not exist in our country and if they do they constitute an offence.

100. With regard to the extent to which children are employed in their families' households, farms or businesses: they are employed in family farms and businesses.

101. In our society there are no groups of children which do not enjoy the special measures and assistance for children, because of the comprehensiveness of the above-mentioned measures and legislation in terms of present and future care and protection for all Libyan children.

102. The social security system guarantees orphans and children without living biological parents a decent life in special social welfare centres. This group is also covered by the measures described above.

103. Provision has been made for physically and mentally handicapped children in the form of social establishments for care and rehabilitation of the disabled, each child being treated according to his or her disability. Legislation guaranteeing their rights has been enacted.

Article 11

104. The Libyan Arab Jamahiriya views housing as an essential individual and family need. It has therefore established plans and implemented programmes since the revolution of 1 September 1969 to meet this urgent need and to free housing from the oppressive rental relationship. This action has taken the form of housing projects implemented by the State with funds from the Public Treasury. It has promulgated a body of legislation, all components of which protect and guarantee the right of citizens to sanitary and adequate housing without exploitation. Every citizen who has reached the age of majority has the right to own a dwelling suited to the needs of its occupants. This dwelling is sacrosanct property and is inviolable in the general interest and in return for fair compensation (art. 1 of Act No. 4 of 1968).

105. In support of the right of citizens and the family to housing, property-owners are prohibited from letting their real estate for rent. However, it is permissible for public corporate bodies or public utility corporations to lease any property they own (art. 9 of Act No. 4 of 1978). Article 8 of Act No. 6 of 1986 reaffirms this right. In the same context, Act No. 11 of 1992 confirms a number of provisions concerning real estate. Article 1 thereof states that housing is a basic need of the individual and the family and constitutes their sacrosanct and inviolable property. Nobody may be deprived of his dwelling save in the circumstances determined and in the way prescribed by the relevant legislation and no court may rule in favour of returning real estate that has been occupied by citizens for a lengthy period in accordance with regulations enacted by a legally competent body (art. 7 of the Act).

106. Under the legislation governing the ownership of real estate, every citizen has the right to own a plot of land suitable for the construction of a dwelling which shall be sacrosanct and inviolable except in matters of public interest and in return for fair compensation or where an alternative is provided from State-owned land. In addition, the legislation in force guarantees every citizen the right to sanitary accommodation from State-owned housing and the right to a housing construction loan. The legislation governing public service also guarantees employees in that sector the right to a cash benefit known as a housing allowance.

107. With regard to ceilings on land ownership, the legislation regulating real estate ownership gives every citizen the right to own a plot of land large enough to build a house that corresponds to the size of his family. In addition, individuals, housing associations and cooperatives are allowed to construct housing for sale provided that the right of disposal thereof is conferred through transfer of ownership within a prescribed period and on the understanding that leasing, exploitation and monopoly are prohibited (Act No. 4 of 1978, Act No. 6 of 1986, Act No. 11 of 1992 and Act No. 9 of 1991 concerning the pursuit of economic activities).

108. The housing issue commanded serious attention from the very outset of the revolution of 1 September in view of the need to provide adequate sanitary housing for every citizen. Housing was a problem demanding urgent and radical attention since it was one of the major shortcomings inherited from an era blighted by its lack of social justice, an era that deprived most of the population of decent and humane housing or left them at the mercy of property-owners acting in isolation, who fixed arbitrary rents without regard to the circumstances of citizens. The Revolution Command Council therefore promulgated a decision on 8 November 1969 concerning the renting of sites, a decision that regulated the relationship between owners of property and their tenants by restoring it to an acceptable and equitable level. In addition, the revolution made huge strides towards providing every citizen with housing through the construction of hundreds of thousands of public housing units.

109. As housing is a basic need of the individual and the family, a radical solution was adopted to fulfil that need in Jamahiri society, that is to say recognition of the individual's need to own a home. In that context, Act No. 4 of 1978 and amendments thereto were promulgated with a view to regulating home ownership in accordance with the maxim: "A house belongs to its occupants."

110. To ensure the construction of the largest possible number of housing units, 2,967.5 million dinars were allocated to the sector during the period from 1970 to 1987. The volume of expenditure amounted to 2,697.7 million dinars a year, about 12.5 million dinars a month and 416,000 dinars a day.

111. The funds invested in the sector led to the construction of about 283,000 housing units at an average rate of about 15,722 units a year and about 1,310 units a month.

112. A breakdown of the total number of completed housing units shows that 177,979 units, or 62.9 per cent, were completed through the Real Estate Investment and Savings Bank, the commercial banks, cooperative associations and self-help projects.

113. Public housing accounted for 78,847 completed housing units or 27.8 per cent, agricultural housing for about 13,827 units or 4.9 per cent, investment housing for about 7,308 units or 2.6 per cent and public project housing for 1,010 units or 0.4 per cent.

114. The number of housing units constructed is estimated at 106,344 or 27 per cent of the total number of housing units completed during the period from 1970 to 1987.

115. With a view to achieving this aim, a number of financial institutions were established in order to help build up the housing sector. They include the Real Estate Investment and Savings Bank and the banks operating in the Libyan Arab Jamahiriya in the area of individual lending to citizens.

116. The revolution also encouraged the establishment of cooperative housing associations, which grant mortgage loans to their members, as well as agricultural housing. In addition, it made available the requisite construction materials available to citizens wishing to build their own homes.

117. Statistical estimates indicate that during the period that has elapsed since the revolution over 540,000 housing units have been completed by means of the funds allocated to and spent on the housing sector in the form of public housing, agricultural housing, integrated urban and rural housing and investment housing involving commercial banks, cooperative associations and self-help projects.

Article 12

Medical care

118. Medical care has been given considerable attention during the past two decades because of its prominent and perceptible role in ensuring the integrated spiritual, social, physical and mental development of the individual and enhancing his capacity to promote economic and social progress.

119. The volume of investment in the past two decades amounted to over 800 million dinars, funds that were used to establish the infrastructure for medical and health services in the form of the construction, equipment and operation of a variety of health and medical facilities. These achievements were the product of a major financial and human investment: 23,384 hospital beds completed and in use, 832 primary health-care centres and units, 18 community clinics, 47 health institutes and various other health facilities. In addition, 3,999 medical workers were trained and qualified to assist in nursing, laboratory work, examination, natural therapy, convalescent care, midwifery and other areas.

120. There are on average 5.5 hospital beds per thousand inhabitants. The average number of doctors is one for every 671 inhabitants and the average number of treatment centres one for every 240 inhabitants. Immunization coverage is 80 per cent. The gross birth rate is 43 per thousand inhabitants and the gross mortality rate 4.5 per thousand inhabitants. The average infant mortality rate is 20 per thousand.

121. Health care is clearly bound up with economic and social factors in accordance with the new concept of primary health care, one of whose components is cooperation and coordination among all economic and social sectors and activities because of their active role in the health of the individual, the family and society. These sectors and activities include agriculture, education and housing, utilities that have a major impact on health services in terms of ensuring balanced nutrition, adequate sanitary housing, safe drinking water, and health education and counselling. A great deal has been achieved at the general, sectoral and local levels. The annual average compound growth rate of GDP came to 10.3 per cent for all economic activities and to an average of 14.4 per cent for non-petroleum economic activities. Given an annual compound rate of population growth of 4.2 per cent, we find that average GDP growth is equivalent to 3.4 times the average annual compound rate of population growth and that GDP in respect of non-petroleum economic activities increased by 71 per cent.

Agriculture

122. Considerable attention has been given to the agricultural sector because of its crucial role in diversification of the economic base and in ensuring the highest possible degree of self-reliance in agricultural commodities and also because many food industries depend on its produce. In addition, the agricultural sector is an important and renewable source of healthy and balanced nutrition for every member of society. To assist the sector in playing its assigned role in the process of construction and transformation and in helping to improve the health of the individual, the family and society, it has been allocated in the two decades since the revolution development funds amounting to 4,647.3 million dinars, of which about 4,154.8 million dinars have been spent.

Education

123. Major changes have occurred in the education sector in terms of the spread of science and knowledge and the training of technical and specialized personnel in different fields. The overall ratio of students at the different levels of education has reached 31.6 per cent, the enrolment rate for girls has risen to about 15 per cent and the illiteracy rate has dropped to about 39 per cent. In the health sector, this change has been reflected in the establishment of medical faculties in Tripoli, Benghazi, Misrata and Sabha, and of higher technical colleges, health institutes, medical secondary schools and other establishments.

124. Under the budgets for transition, this sector has been allocated 20,165 million dinars, of which 1,524.2 million dinars has been spent with an average implementation ratio of 75.6 per cent, average annual expenditure of 84.7 million dinars and average monthly expenditure of about 7.5 million dinars. This investment has led to numerous achievements at all levels of education.

Housing

125. This sector has received considerable attention since the revolution of 1 September 1969 with a view to providing citizens with adequate sanitary housing and addressing the housing shortage, which was estimated in 1969 at about 65,000 units in addition to 120,000 inadequate units. To facilitate the construction of a huge number of housing units, the sector was allocated 2,967.5 million Libyan dinars to complete 389,344 new units. In addition, action was taken to establish real-estate investment funds and housing banks and associations.

Public utilities

126. This sector attends to the population's basic needs for safe drinking water, waste and refuse disposal, sewage networks, airports and waterways, the internal road network, parks, recreation grounds, protection of the environment against pollution and other services designed to maintain a sound and healthy environment for the urban and rural population. The sector was allocated a sum of 2,669.2 million dinars to implement these programmes.

As ground water is the main source of drinking water, in addition to seawater desalinization plants the sector has dug 1,500 wells with a capacity of 0.5 million cubic metres and built 10,000 kilometres of water networks with 34 water pumping stations, 25 water treatment plants and 44 laboratories for chemical analysis. It has also built 15 sewage pumping stations and 28 purification plants and has completed 3,500 kilometres of rainwater drainage networks. Laboratories for chemical and bacteriological analysis of drinking water and waste disposal facilities have been established in many of the principal towns.

The right to adequate food

127. The nutritional targets set in the Libyan Arab Jamahiriya include: (a) provision of food; (b) ensuring wholesome food; (c) building a sound and healthy generation. The per capita intake of energy was previously 2,000 calories a day and the per capita intake of plant and animal protein 55 grams a day. After the revolution the per capita figure for animal protein increased to 60.6 grams a day, for plant protein to 27.4 grams a day and for energy to 3,230 calories a day. These figures show that there has been an improvement in nutritional status.

128. Mizan al-mawjudat al-ghidha'iya, a journal on nutritional balance published by the Secretariat of Agriculture, and exploratory studies of the nutritional status of children registered at and attending primary health units and centres (child weight is recorded in children's files at the Secretariat of Health and Social Security) have shown on the basis of factual data compiled over a period of years up to 1992 that the nutritional and health status of children in the Libyan Arab Jamahiriya is good (the General People's Committee for Health and Social Security).

129. Exploratory studies of child weight at birth, based on the World Health Organization standard of 2,500 grams, show that the reference weight is exceeded, which confirms that the health and nutritional status of newborn infants is also good.

130. Basic preliminary studies of patterns of consumption and nutrition show that the consumption of most nutritional elements by males and females belonging to different age groups meets and in some cases exceeds daily requirements.

131. Basic foodstuffs are supported by the Government. The commodity supply agency ensures the supply of foodstuffs (wheat to flour mills, flour to bakeries, other domestic items, sugar and sugar substitutes to soft-drink and sweet factories, different varieties of rice, plant oils, tomato paste, tea, coffee, yeast). Consumer associations ensure ease of access to these foodstuffs for individuals, and the national commodity supply agency sells them direct from its stores for industrial use. They are currently available in all regions of the Libyan Arab Jamahiriya.

132. Numerous factories (foodstuff industries) have been built in most regions of the Jamahiriya, for example:

Al-Ma'mura Foodstuffs Corporation (see attached list of output for 1992/1993);

The General Corporation of Milk and Dairy Products, which has many affiliated milk and dairy product factories;

The National Corporation for Semolina and its Derivatives;

The General Bread and Biscuits Corporation;

The General National Beverages Corporation;

The National Foodstuffs Corporation;

The Oil Extraction and Refinement Corporation;

The General Milling and Fodder Corporation;

The National Milling Corporation;

The General Inland Marketing Corporation.

These corporations have 74 affiliated factories distributed throughout the Libyan Arab Jamahiriya.

133. With regard to the use of modern technology for the conservation of food, the Research Centre in Tajura' is carrying out studies and research on the conservation of onions, garlic and potatoes through radiation. Numerous refrigerated storehouses have been built for food conservation and silos for long-term grain storage have been constructed in many regions. All these measures have produced positive results, permitting food conservation and a continuous supply over long periods and greatly alleviating shortages.

134. Agriculture and housing have already been covered.

Health strategy

135. The aims of the health strategy are to ensure health for all and by all by providing integrated and comprehensive health services and developing them through serious and persistent grass-roots action aimed at raising the standard of health of the population and making the concept of public and diagnostic health a popular Jamahiri concept and a way of life for the Libyan Arab individual.

136. The components of the strategy are as follows:

(a) Conduct of studies and research and use of organizational, administrative and legislative means to interlink and coordinate health services with other accessory and related services such as nutritional and housing services, environmental protection, the supply of drinking water, sanitary sewage, refuse and waste disposal, food inspection and industrial safety and occupational health;

(b) Provision of health services and raising their standard, achievement of optimum ratios for the number of beds and various kinds of medical staff, and the provision of drugs and medical appliances and equipment;

(c) Provision of comprehensive coverage for the population and of medical, preventive and therapeutic facilities and services, giving priority to remote regions;

(d) Focusing on preventive health projects, immunization of citizens against infectious diseases, control of contagious and endemic diseases, especially tuberculosis, trachoma, leishmaniasis and cysts, promotion of health and nutritional awareness among the general public and development and improvement of environmental protection programmes;

(e) Development of and support for existing health and medical establishments, equipping them with the most advanced medical appliances and equipment and enhancing their efficiency;

(f) Development of national manpower, implementing health education and training programmes within and outside the country and meeting the demand of health facilities for skilled national personnel;

(g) Undertaking studies and research concerning health services and the economic and social factors that affect a society's health. The Libyan Arab Jamahiriya is committed to the World Health Organization primary health-care approach as part of its health policy and strategy. It has established primary health-care bureaux with affiliated units and centres in all regions, which are in turn committed to implementation of the tasks and activities assigned to them with respect to health-care focal points. National committees for current programmes have been established. Their membership includes experts and specialists from the General Primary Health Care Department of the General People's Committee for Health and Social Security and professors from Libyan Arab universities. Assistance is sought from the experts and consultants of the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) and the General People's Committee for Health and Social Security transmits the annual reports and other reports demanded by WHO.

137. The percentages of gross national product (GNP) spent on health are as follows:

1971	1.5 per cent
1975	2.2 per cent
1979	3.7 per cent
1986	4.14 per cent
1990	5.5 per cent

In 1990, 0.8 per cent was allocated to primary health care. The bulk of the health sector budget is allocated to therapeutic medical services and a small percentage is spent on preventive activities.

138. The infant mortality rate is as follows (per thousand infants):

1977	1978	1980	1981	1983	1985	1990	1991
42	38.5	36.1	35.3	34	31	30	20

The child mortality rate (1 to 4 age group) is 20.9 per thousand. The rate of population access to safe water was 90 per cent in 1991 and the rate of population access to adequate excreta disposal facilities is 75 per cent.

Vaccination and immunization

139. The figures are as follows:

BCG plus zero dose for poliomyelitis: 90 per cent;

The first dose for the three-in-one group (diphtheria, whooping cough and tetanus) and poliomyelitis: between 85 and 90 per cent;

The second, third and booster doses for the three-in-one group and poliomyelitis: between 70 and 80 per cent;

Measles: 75 per cent.

140. The proportion of the population having access within one hour's walk to trained personnel for the treatment of common diseases and injuries, with regular supply of 20 essential drugs, is about 20 per cent.

141. The proportion of pregnant women having access to trained personnel during pregnancy is 70 per cent and the proportion attended by such personnel for delivery is 50 per cent. The maternal mortality rate is 0.5 per cent (0.2 per cent before childbirth and 0.3 per cent after childbirth).

142. The proportion of infants having access to trained personnel for care is 70 per cent.

143. The health policy pursued under the existing structure has had a positive impact on health services, especially primary health-care services at all levels, through the people's health committees operating in the regions.

144. The General People's Committee for Health and Social Security has set up a large number of national committees for prevention and control of endemic and contagious diseases. The health programmes prepared by these bodies have helped to control such diseases within the country and prevent their entry from abroad.

145. The following measures have been taken to reduce the stillbirth rate and the infant mortality rate and to provide for the healthy development of the child:

(a) Mother and child care;

(b) Comprehensive vaccination and immunization coverage for target groups of infants, mothers and schoolchildren;

(c) Attachment of special importance to a diarrhoea control programme which has led to a marked reduction in the incidence of the disease and a decline in the rate of mortality from diarrhoea;

(d) Increased attention to the respiratory disease programme;

The above programmes have led to a decline in the infant mortality rate to 20 per thousand. According to an evaluation by WHO, vaccination and immunization coverage is high.

(e) Focusing on breast-feeding as the basis of child nutrition;

(f) Establishment of the High Commission on Childhood, which focuses attention on the Libyan Arab child and also on children at the international level;

(g) Promotion of health and social awareness and education as the basis for translating scientific facts into patterns of social behaviour.

146. Measures to improve environmental and industrial hygiene include:

(a) Provision for a periodic preliminary examination for all employees in the industrial, agricultural and tertiary sectors, early detection of occupational diseases and opening of specialized occupational clinics in some industrial regions, especially those with dangerous industries;

(b) Support for occupational clinics in industrial units, especially large-scale plants, with first aid equipment;

(c) Safe disposal of industrial waste that has an impact on the environment;

(d) Control of air quality in factories and production units in order to protect employees against all natural, chemical and biological pollutants;

(e) Employee awareness and education programmes;

(f) Drafting of modern legislation in the area of occupational health and safety.

147. Other measures include:

(a) Establishment of quarantine stations at frontier crossing points, harbours and airports and coordination with WHO on a programme to control contagious and endemic diseases;

(b) Establishment of observation units for tuberculosis and contagious and endemic diseases in all regions;

(c) Establishment of units in hospitals for the treatment of contagious diseases.

148. The State has taken the following measures to ensure health services and medical care for all:

(a) The State is committed to the principle of primary health care and has taken steps to establish health-care units throughout the Libyan Arab Jamahiriya;

(b) Preventive services are available to all citizens, Arabs and foreigners free of charge;

(c) Therapeutic services to the highest specifications required are available free of charge to all citizens, including residents;

(d) Where cases cannot be treated locally in the Libyan Arab Jamahiriya, the State provides financial support and defrays the cost of treatment abroad in the most advanced facilities in the world;

(e) Contracts are concluded with many foreign doctors and medical and ancillary personnel to ensure high-quality therapeutic, preventive and rehabilitation services throughout the Libyan Arab Jamahiriya.

149. With regard to the effect of measures implemented on the situation of vulnerable and disadvantaged groups in any worse-off areas:

(a) The Libyan Arab Jamahiriya is a large country with vast expanses of territory and relatively low population density;

(b) Income is distributed relatively evenly among the members of Jamahiri society and the sharp distinctions between social strata have to some extent disappeared;

(c) All citizens without exception, including Arab and foreign residents, have access to preventive, therapeutic and rehabilitation services;

(d) Most deliveries take place in hospitals and specialized health centres and compulsory vaccination programmes exist for all children. This has resulted in a decline in the infant mortality rate;

(e) The abundant supply of sources of wholesome food both to mothers and to children has led to improved health standards: in 1992, for example, 85 per cent of infants aged 0 to 6 months were classified as normal;

(f) Extensive programmes exist to ensure occupational health and safety and environmental protection. In addition to the specialized centres and inspection units in the General Health Care Department, there are national committees that plan and supervise programme implementation, evaluation and monitoring;

(g) Provision has been made for the prevention and treatment of infectious diseases and for taking all necessary measures at every level,

from the basic level, including health-care units, to that of high-level supervision and care in hospitals and specialized centres. The treatment of these diseases is viewed as an integral part of primary health care and they are reported immediately in accordance with Health Act No. 106 and its implementing regulation. There are also a large number of major programmes to address the most serious endemic diseases such as tuberculosis, leprosy, malaria and bilharzia. To give just one example, the average incidence of tuberculosis, which used to be a rampant disease in Libyan Arab society before the revolution, had declined to 0.067 per thousand by 1992, an outstanding achievement not only in the Middle Eastern region but in the world as a whole.

150. Health care and social security are guaranteed to all citizens of the Libyan Arab Jamahiriya without exception. To give just a few examples, which are not exhaustive, the State provides disabled persons with all the therapeutic aids they need free of charge, pays a monthly disability benefit and provides health services free of charge to all citizens, including the elderly.

151. Promotion of health awareness and education is the responsibility of a specialized General Department of the General People's Committee for Health and Social Security. The Department operates in coordination with all relevant agencies and bodies attached to health and social utilities with a view to spreading health and social awareness among the population and explaining health policy based on the principle of primary health care. The Department is also working in conjunction with health and social security sector promoters throughout the Libyan Arab Jamahiriya to stimulate a mass response to the policies, making every effort to build a society that aspires to implement the slogan "health for all and by all by the year 2000".

152. The primary health-care programme is currently being implemented with some success. Preliminary results based on initial reports show that primary health-care services are good and additional successes may be expected at subsequent stages.

153. Assistance from WHO and UNICEF is sought under established cooperation agreements for the implementation of national programmes and through the review programme that exists between WHO and local experts and senior officials. The health care programmes have achieved tangible results.

154. A number of tables and diagrams are attached: 1/

(a) Statistical data concerning endemic and contagious diseases for the period from 1983 to 1992 (the General People's Committee for Health and Social Security).

(b) Diagrams showing the nutritional status of children in the early stages of development: degree of malnutrition based on the child's weight in relation to its age (file of registered children attending a mother and child welfare centre); indicators of nutritional status for the periods 1981 to 1985 and 1990 to 1992 (General People's Committee for Health and Social Security).

Adverse consequences of the implementation of Security Council resolutions 748 (1992) and 883 (1993) during the period from 15 April 1992 to 15 April 1994

155. Since their implementation on 15 April 1992 and 1 December 1993, Security Council resolutions 748 (1992) and 883 (1993) have had an extremely adverse impact on all aspects of the personal, social and economic life of the Libyan Arab people especially in the health and social security sector, which has been severely affected in all areas relating to medical supplies, therapeutic and preventive services and international technical cooperation. The damage has also extended to operational activities and maintenance and associated requisites and to all aspects of the health and social security economy, as described below.

156. It has been impossible to refer abroad 9,000 cases of serious illness that could not be treated locally and required immediate evacuation by air, in particular emergency and urgent cases that had previously been flown out by air ambulance or other scheduled aircraft, such as cases of heart disease, kidney transplant, detached retina, brain and neural surgery, bone marrow transplant, burns, malignant diseases, etc.

157. A total of 350 critically ill patients, unfit for transport overland, have died during road transport to airports in neighbouring countries because of the seriousness of their condition, the distance to be covered and the impossibility of travelling by road at the speed required to save the patients, a state of affairs which amounts to signing their death warrant.

158. Obstruction of the programmes of visits under which academics, medical specialists and lecturers have been invited from universities and faculties all over the world, including Austria, Yugoslavia, Germany, Switzerland, France, Italy, Poland, Bulgaria and other countries. About 150 academics and specialists in different branches of medicine have been unable to visit the Great Jamahiriya to treat patients, perform precision surgery, take part in university examinations in Libyan universities and attend the international scientific and medical conferences and symposiums that are held from time to time in the Great Jamahiriya.

159. Many highly qualified Libyan doctors and academics have in turn been unable to attend a large number of international conferences, meetings and seminars held in various parts of the world. They have therefore been prevented from playing a part in international conferences and meetings, from obtaining information and benefiting from them and from keeping abreast of accelerating scientific and humanitarian progress and development in different fields and branches of concern to them.

160. Many medical professionals and ancillary medical employees from different parts of the world have been unable to accept employment in the Great Jamahiriya because of the difficulties they have encountered. About 4,500 medical professionals and over 100 medical assistants resign from their jobs each month so that their number has shrunk to about 2,500. As a result, medical and therapeutic services in all health facilities have been totally disrupted.

161. Maintenance services for electromechanical medical devices and equipment in health facilities and therapeutic centres have been suspended owing to the non-arrival of spare parts, for which orders worth US$ 10 million have been placed, and the inability of the experts and technicians who service the medical devices and equipment to reach the Jamahiriya. As a result, medical services in most hospitals and health centres have been impeded or brought to a standstill.

162. The late arrival of drugs imported by special urgent order and of the necessary operating equipment has led to the deaths of about 350 babies in different hospitals of the Jamahiriya and of more than 150 Libyan women during confinement because of a shortage of drugs for the treatment of haemorrhages.

163. Joint programmes agreed with WHO have been obstructed. Most visits by international experts and working groups assigned by WHO have been cancelled or postponed and this has constituted a permanent obstacle to the development and advancement of the health sector. In addition, obstruction of basic health programmes has undermined international cooperation in the field of health and prevented attainment of WHO targets under the Global Strategy for Health for All by the Year 2000.

164. Cargoes of medical supplies have arrived late and difficulties have been encountered in releasing them owing to the non-arrival of samples and descriptive material in advance and on time. Difficulties and considerable confusion also surround the importation and storage of all serums, vaccines, inoculants, blood derivatives, hormones and test reagins (AIDS and radio-iodine) due to deterioration and spoilage through importation by sea, which has led to a discernible impairment of the effectiveness of the poliomyelitis vaccine.

165. Many foreign manufacturing companies still inquire about how to ensure the transport of such medical supplies, which should be transported by air rather than by the other customary means of transport. This has led to further delays in the arrival of cargoes and hence their non-availability in the storage facilities of health establishments. There is also the risk of damage and spoilage from weather conditions and from the way in which they are handled on board ship and when they arrive in port. A graphic example is the loss of a large portion of the cargo imported by sea from the OANSSEM and TANSSEM companies which specialize in the manufacture of anaesthetics and similar drugs needed by hospitals and therapeutic centres.

166. Delays in filling orders for drugs and medical devices, equipment and other requisites have affected 156 orders for serums, vaccines, test reagins and operating equipment, worth a total of about US$ 50 million.

167. As is well known, it is difficult or even impossible to obtain the radio-isotopes needed to identify certain hormones other than by direct air importation by the consumer from the industrialized countries. This applies to some drugs used in the treatment of cancer, for example the drug known as "Mastin".

168. A total of 10,200 accidents due to heavy road traffic have led to 1,622 fatalities, 4,220 serious injuries and 3,124 light injuries and caused serious damage to over 9,200 vehicles.

169. The Committee set up under Security Council resolution 748 (1992) has been slow to grant approval for the medical evacuation by air ambulance of emergency and urgent cases requiring treatment abroad. The Committee has repeatedly held up cases of medical evacuation, most recently on 4 May 1994, causing the death of many patients or a deterioration in their condition. There has been no medical or legal justification for this dilatoriness in granting approval or for the halting of medical evaluation of emergency and urgent cases. Rather it reflects the intransigent attitudes of some members of the Committee, a total absence of humanitarian concern or concern for the health of the patients requiring evacuation by air ambulance and indifference to the deep and bitter suffering of the patients and their relatives.

Articles 13 and 14

170. In this part of the report, we shall review basic legislation and regulations affirming the right of all citizens to a general education free of charge. We shall also describe a number of operational measures and practical steps taken by the educational authorities to make education freely accessible to all free of charge. We shall further outline the development of educational institutions since the 1960s in terms of the number of schools, classes, students and teachers and the stock of equipment, materials and teaching aids that the State has provided in order to make education available to all free of charge.

171. The State has stepped up its efforts to provide education for all and to enhance the quality of education through the expansion of available human and material resources. Spending on the sector has been generous, as evidenced by the scale of the education budgets voted from the general budget each year, the number of educational establishments built annually and the number of students at the different levels of education. The following statistical data show the upward trend in the construction of educational establishments and the increase in the number of classes, students and teachers.

172. A comparison of the number of schools, classes, students and teachers in the academic year 1968/1969 with the corresponding figures for the academic year 1991/1992 shows a major advance at all levels of education in quantitative terms. It may be affirmed beyond a doubt that none of this would have been possible without the massive human endeavour and the large-scale financial investment undertaken during that period.

Basic education (primary and preparatory)

173. The legislation and regulations in force in the Libyan Arab Jamahiriya recognize the right of every citizen to education irrespective of his or her sex, race, nationality, language, religious belief or political affiliation. The legislation imposes a duty on the State to assist individuals in exercising that right free of charge and as easily as possible by providing the requisite material and moral resources, as stipulated in article 14 of the Constitutional Declaration promulgated by the Revolution Command Council on

11 December 1969 and article 2 of Education Act No. 134 promulgated by the Revolution Command Council on 19 October 1970, article 1 of the Regulation concerning Primary Education promulgated by the Council of Ministers on 2 October 1973 and articles 1 and 2 of the Regulation concerning Preparatory Education promulgated by the Council of Ministers also on 2 October 1973. The period of compulsory education was initially fixed at six years and subsequently extended to nine years under the above-mentioned Regulation concerning Preparatory Education, which also specified the aims of that stage of education, which may be summarized as follows:

(a) To ensure the all-round development of the child;

(b) To raise children to be good citizens;

(c) To train them to adapt to the demands of their developing society;

(d) To inculcate respect for manual work;

(e) To provide them with basic skills;

(f) To accustom them to making profitable use of their leisure time.

174. The Libyan Arab Jamahiriya has sought to expand basic education so that it is accessible to all residents, both citizens and persons compelled by circumstances to reside in the Jamahiriya. It has taken action to that end on many fronts, the most important of which are as follows:

(a) It has made basic education compulsory, free and available to all.

(b) It has taken steps to establish school buildings throughout the country and to expand the construction of such buildings each year until they cover all populated regions, however small the number of inhabitants. It has even resorted to using prefabricated buildings as schools as an urgent and interim measure pending the construction of proper schools that comply with international recognized specifications. We have attached a table showing the increase in the number of schools, classes and students between 1968 and 1992 and an explanatory table showing the trend in the figures for selected years during the same period.

(c) In pursuit of the aim of making education available to all, the Libyan Arab Jamahiriya has opened schools for children of Libyans working abroad, running and funding them in the same way as schools within the country. A list of these schools, their location and the number of pupils and teachers in each school is attached. 1/

(d) The Libyan Arab Jamahiriya, respecting the wishes of nationals of other States resident in the country to pursue whatever studies they deem appropriate and useful in a language with which they are familiar, has allowed anybody who so wishes to open a private school, ensuring supervision thereof free of charge, facilitating its work and meeting some of its needs. We find that while many foreign communities have established private schools for their children, some have preferred to study in Libyan schools without incurring

expenses or undergoing procedures that are more burdensome than those applying to Libyan children. A table giving the names of the schools, their location and the number of pupils attending them is attached. 1/

(e) The Libyan Arab Jamahiriya has sought to provide the requisite number of teachers and to improve the quality of instruction. It has done so in two separate and parallel ways. The first has focused on the establishment of teacher training colleges, encouraging enrolment by introducing boarding sections and awarding a monthly grant to students. The second approach has involved the recruitment of teachers from abroad on the basis of group and individual contracts in specialized fields for which teachers are required. This policy has proved extremely successful and has ensured an annual supply of teachers. The two approaches have worked in a complementary way and have always prevented shortages. List No. 7 1/ shows the colleges, the number of students attending them and the increase recorded in the academic years falling within the period from 1968 to 1991.

(f) The legislation and regulations in force make education compulsory for all and assign responsibility for their implementation to the Secretariat of the General People's Committee for Education. The relevant provisions have already been cited.

(g) Measures taken to make education available to all include the provision of school equipment and materials and of teaching aids and in some cases the provision of transport facilities to and from school.

(h) Students in all fields and at all levels have been given work places and employment opportunities as a means of improving their economic standing. They thus obtain direct experience of the benefits to be reaped from education and become more receptive to it.

General secondary education

175. The Libyan Arab Jamahiriya initiated action to provide general secondary education for all through the enactment of corresponding legislative provisions in the Constitutional Declaration and Education Act No. 134 of 1970. The Regulation concerning Secondary Education was promulgated by the Council of Ministers on 2 October 1973 with a view to implementing a number of practical measures designed to facilitate the expansion of this type of education, the most important of which are described below.

(a) The adoption by the Council of Ministers of the Regulation concerning Secondary Education promulgated on 2 October 1973.

(b) The establishment of secondary schools in all towns, villages and small population clusters so that all regions are served and there is no village or populated area without at least one secondary school. The number of such schools and the number of secondary level students and teachers has increased as a result. Whereas in the academic year 1968/1969 there were 25 general secondary schools with 250 classes, 10 years later, in the academic year 1978/1979, the corresponding figures were 94 and 892 respectively. Moving forward a further nine years, to the academic year 1987/1988, we find that the number of general secondary schools has increased to 355 and the

number of classes to 3,264, which certainly qualifies as a major increase within a short period of time. A table showing the increase in the number of schools, classes, students and teachers at the general secondary level of education during the period from 1968/1969 to 1988/1989 is attached. 1/

(c) Establishment of boarding facilities in secondary schools attended by students from remote areas who find it difficult to cover the distance to and from school each day. There has recently been a decline in the number of boarding sections because of the expanding network of secondary schools. They are now confined to a limited number of areas.

(d) The marked increase in the number of secondary schools and the students attending them created a strong demand for teachers of secondary level subjects that could not be met locally. The State therefore took the step of recruiting specialized teachers in various disciplines from other fraternal and friendly countries. A further consequence was the need to expand the capacity of existing universities and institutes of higher education and to open new establishments.

(e) Offering the widest possible range of subjects at the general secondary education level and ensuring diversification in accordance with students' aptitudes and modern demands arising from advances in knowledge and technological progress. This has led to the establishment of technical secondary schools in fields such as the basic sciences, medical science, engineering, agricultural science, the arts, social science, etc.

(f) The establishment of secondary schools in all towns and villages of the Jamahiriya and the wide range of subjects taught have made this level of education available to anyone who wishes to enrol. It is also provided free of charge to all students, both Libyans and other nationals. In addition, all prescribed textbooks, associated explanatory material, laboratory equipment and other aids to academic success are provided free of charge.

176. If we examine the trend of secondary education in the Jamahiriya, we find that it has developed rapidly in quantitative terms, especially since the 1969 revolution. At that time, a total of 8,304 students were enrolled in secondary education. Five years later, this figure had almost doubled to 14,680 in 1974/1975 and by 1985 the number of students had increased almost tenfold from 1969. In the academic year 1991/1992, the total number of students enrolled in general secondary education, not including other types of secondary schools and teacher training colleges, came to 138,860. It should further be noted that the ratio of females to males in these schools has been moving towards balanced representation of the sexes: from as low as 13 per cent in 1968/1969, it rose to about 25 per cent in 1978, exceeded 40 per cent in 1987 and the following years and approached 50 per cent in 1989. This enormous increase in the number of students has been accompanied by a corresponding increase in the number of schools and classes. There were 30 schools with 281 classes in 1969/1970 and 117 schools with 1,674 classes in 1981/1982. By 1987/1988 the increase compared with 1969/1970 was about twentyfold, with 355 schools and 3,264 classes. Lastly, the data for the academic year 1991/1992 show that the number of schools has reached 488 and the number of classes 4,353.

Technical secondary education

177. It became necessary to reform secondary education to bring it into line with contemporary needs. Technical committees were set up to perform the following tasks:

(a) Reform of the general secondary education system to make it pleasant and profitable for students and responsive to scientific and educational developments by introducing the necessary reforms in curricula, textbooks, teacher training and the quality of school and laboratory equipment.

(b) Establishment of a new kind of specialized secondary school focusing on a particular branch of study and a number of related and supporting disciplines, a category that includes the various technical secondary schools already mentioned in this report. This type of school is considered to be of great importance both for students and for society as a whole in view of the underlying idea of confining a student's attention to a particular field of study, thus reducing failure rates and lightening the burden generally placed on traditional curricula, and concentrating on a specialized area. The purpose of this whole approach is to give curricula a practical focus, ensuring that practical skills form an essential part of academic success from year to year and that training courses reflect modern trends and meet the demands of the labour market. It has led to a spontaneous expansion of the base of secondary education, an increase in the number of students enrolled at that level and a decline in the drop-out rate. Moreover, the emphasis on practical studies has made students more receptive and responsive since they are dealing with a specific branch of knowledge of their choice leading to a clearly defined occupation that they hope to pursue on completion of their secondary or higher studies. This type of education has been given a great deal of attention and corresponding funds have been allocated from the education budget. A table showing existing technical secondary schools, their fields of specialization and the number of students enrolled is attached to this report. 1/

Teacher training colleges

178. Teacher training colleges have received great attention and particular care in the Libyan Arab Jamahiriya because they provide an educational service that the country needs by ensuring the requisite supply of properly trained teachers. The location of teacher training colleges, the annual number of students attending them and the fields of study in which they specialize are determined in the light of specific numerical requirements.

179. The colleges have grown each year in terms of quantity and the number of students enrolled. Their study programmes have also evolved in terms of curricula, duration of studies and criteria for admission. Initially, they were called general teacher training colleges and admitted students holding a primary school certificate. On successful completion of the course, these students were awarded a "general teacher's diploma". This type of college disappeared when the country's educational and economic situation improved and was replaced by the system of special teacher training colleges. These colleges admitted students holding the preparatory certificate (a certificate

awarded on completion of basic education). The course ran for four years and various specialized branches of study were offered from the second year onwards. On successful completion of the course, students were awarded a "special diploma" that entitled them to teach in preparatory schools. This type of college was also abolished and replaced by a new type of intermediate teacher training college that admitted students holding a certificate of completion of basic education. During the five-year course of studies, students were trained simultaneously as subject teachers for preparatory schools and class teachers for primary schools. This type of college was eventually also abolished and university faculties and higher institutes were designated as the principal and only source of supply of teachers specializing in various fields. The curricula of these faculties and institutes were reformed in such a way as to meet the training requirements of the various levels of education and their diverse fields of specialization. A table attached to this report 1/ shows trends in the number of teacher training colleges, in student enrolment and in teaching staff between the academic years 1968/1969 and 1988/1989.

180. The marked expansion in the teacher training college network and in the number of students admitted each year has certainly helped to accommodate a large number of students completing basic education, a huge contingent that had previously exceeded the intake capacity of general secondary schools. The growth of this branch has also been of assistance not only in the establishment of more general and technical secondary schools and other types of intermediate college (e.g. agricultural, electrical engineering, financial and administrative colleges) but also in broadening the basis of intermediate education in general and making it available to most if not all holders of basic education certificates who are able and willing to pursue further studies. In addition, vocational education and training have opened up new fields and broad vistas for many groups of students, as will be shown in the following section of this report.

Vocational education and training

181. Vocational education was introduced many years ago in the Libyan Arab Jamahiriya through the "On-the-Job Training Scheme" supervised by the industrial sector, under which students were assigned to factories and production sites where they were trained for a variety of occupations. Responsibility was subsequently transferred to the public service sector and a number of centres with an estimated capacity of 1,020 trainees were established in cooperation with ILO. Attention was then focused on vocational training with the establishment and equipment of a number of vocational centres and colleges. The initial 39 centres with a capacity of 5,862 students had increased by 1987/1988 to about 69 centres with a capacity of 9,171 students, prompting the Jamahiriya to enhance the importance of this branch of education by establishing a special structure. Under decision No. 263 of 1988 adopted by the General People's Committee, a Secretariat for Vocational Education and Training was established with responsibility for supervising all vocational centres and colleges under the authority of the public service, industry, education, agriculture, health and communications and for the following additional tasks:

Enhancing and spreading vocational education among the population with a view to broadening the foundations of knowledge and eliminating vocational and technical illiteracy;

Organizing appropriate retraining programmes for students prevented by special circumstances or academic performance from continuing their studies in other areas;

Carrying out studies and preparing and implementing plans concerning vocational education and training for women in fields for which they are naturally suited and that are in keeping with their place in Jamahiri society;

Training the vocational teachers and instructors needed to conduct the vocational education and training process.

182. Since its establishment, the Secretariat for Vocational Education and Training has sought to develop existing centres and to establish and equip new centres, introducing advanced fields of occupational specialization in the light of market and social demand. In 1988/1989 there were 176 centres with a capacity of 40,210 students. In addition, about 4,000 interns were being trained under the On-the-Job Training Scheme in public and private factories, businesses and workshops under the supervision of the training sector.

183. Pursuant to decision No. 95 of 1989 adopted by the General People's Committee, vocational education centres and colleges have been divided into the following categories on the basis of the types of course they offer:

(a) Basic training centres;

(b) Intermediate training centres;

(c) Advanced training centres;

(d) Instructor training centres.

There are specific provisions for each of these levels regarding admission criteria, duration of studies, fields of vocational specialization, standards of achievement of graduates, statutes and methods of assessment.

184. The Secretariat for Vocational Education and Training has prepared an ambitious plan designed to broaden the basis of training. The following are some of its principal aims:

(a) To set up and equip a number of specialized centres for the training of instructors;

(b) To set up and equip a number of vocational centres for building and construction occupations;

(c) To contract the services of a number of travelling workshops for use in the programme for the elimination of vocational illiteracy in the population;

(d) To involve women in training for particular occupations and trades for which they are naturally suited, introducing new occupations such as television and radio maintenance, computer occupations, technical drawing and administrative and financial occupations. Priority has been given to women in these occupations.

(e) To prepare intensive agricultural training programmes for farmers, providing the training services on their own farms and land.

185. The following tables show the increase in the number of centres established up to 1991/1992 and the new specialized fields and occupations introduced.

Higher education

186. The broadening of the coverage of basic and intermediate education, as shown in the sections of this report dealing with those two levels of education, and the growing need for university graduates in various specialized fields necessitated a review of the basic concepts underlying third-level education as well as its structure and role in society. This review led to the construction of specialized universities in various parts of the Jamahiriya, pursuant to decision No. 745 adopted by the General People's Committee in 1991 concerning university restructuring. The total number of universities was set at eleven. Their names, location and the number of students on their rolls in the academic year 1991/1992 are provided in a table published by the General Department for Studies and Examinations of the Secretariat for Higher Education. 1/

187. We should not fail to mention the annual grants offered by the Libyan Arab Jamahiriya to many students from Arab countries and some from developing countries. The ratio of these students to the overall student population at university level has reached 8 per cent.

188. The increase in the number of universities and their constituent faculties has been accompanied each year by an increase in the number of students. In the academic year 1962/1963, 1,028 students were enrolled in higher education establishments, a figure that rose to 1,780 in the following year. By 1968/1969 the corresponding figure was 4,155 students and by 1972/1973 that figure had doubled to 8,220. Two years later, in 1975/1976, a total of 13,418 students were enrolled and this was followed by a steep increase to 21,925 in the academic year 1981/1982. A further sharp increase was recorded in the following three-year period, bringing the total number of university students to 32,770 in the academic year 1984/1985. The sharp rise in numbers continued over the following four-year period. In the academic year 1988/1989 a total of 50,471 students were enrolled at Libyan universities, a figure that had climbed to 72,899 by the academic year 1991/1992.

189. The increase in the number of students holding general secondary certificates as a result of the expansion of secondary education, the desire of the majority to continue their studies and the conviction of most students and their legal guardians that completion of third-level education is necessary to improve their social and economic situation and to ensure access

to employment have greatly increased the demand for higher education. However, the existence of a large number of universities in a variety of locations has enhanced their capacity to accommodate this demand and has made them accessible to many prospective students. A table showing the number of university students for selected academic years during the period from 1962/1963 to 1991/1992 is provided. 1/

190. During this process of continuous development and change in the number of universities, the educational aims they pursue and the curricula they follow, the operational bodies responsible for the implementation of educational policy have been able to promote an alternative approach to university education, making it highly efficient in terms of accommodating large numbers of students holding general secondary certificates, who are provided with qualifications that correspond to their personal needs and the demands of the labour market. This approach is based on higher education institutes that deal with different branches of knowledge, especially applied sciences. The following criteria were taken into account in establishing these institutes:

(a) They should be established in different locations throughout the Libyan Arab Jamahiriya so as to provide coverage for areas without university-level establishments.

(b) They should confine their curriculum to fields of specialization for which a need exists.

(c) They should each apply their own admission criteria based on the requisite academic capacity and the numbers that can be accommodated.

(d) The duration of university studies should be kept to the minimum consistent with preservation of the high quality of curricula and of the tuition imparted.

(e) Courses should focus on practical application of curriculum content so that graduates master both the practical and the theoretical aspects of their field of specialization.

(f) The institutes should award diplomas similar to those awarded by universities to students who are successful in their final examinations.

(g) They should provide most students with free board and lodging.

A list of higher institutes, their location and the number of students and teachers at each institute is provided. 1/

Note

1/ Available for consultation in the secretariat.